

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

CERRON THOMAS HOOKS,

Petitioner,

v.

GERALD J. BRANKER,¹

Warden, Central Prison,

Raleigh, North Carolina,

Respondent.

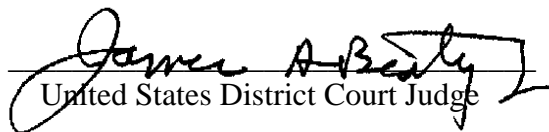
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O-R-D-E-R

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on December 9, 2008, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Petitioner's application for a certificate of appealability [Docket No. 28] be **DENIED**.


United States District Court Judge

Date: February 9, 2009

¹ Gerald J. Branker succeeded Mr. Marvin Polk as Warden at Central Prison. The case caption is hereby amended to accurately reflect Mr. Branker as the Respondent.